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Senator Rodríguez's scrap tire bill passes Senate

Austin – S.B. 570, a bill by state Sen. José Rodríguez that outlines methods by which tires may be disposed and improves enforcement capabilities, passed the full Senate today. It now goes to the House for consideration.

Illegal tire disposal has been a rampant problem in Texas for years. More than 36 million tires are discarded each year in Texas, roughly one and a half tires for every person residing in the state. If not transported and disposed of properly, these tires can lead to dangerous outcomes including costly, environmentally hazardous tire piles and increased public health and safety risks, from fires to vector-borne illnesses like Zika, West Nile, and dengue fever.

Illegal dumping is often a result of unlicensed scavengers culling and stealing used tires from generators then dumping their rejects. These tires are transported illegally and dumped, costing the state millions of dollars in cleanup. S.B. 570 seeks to remedy these issues.

“This comprehensive bill is the result of work by a large stakeholder group over the past several years and is supported by industry leaders, who are involved with tires from cradle to grave; public health and environmental advocates; and cities and counties who are often saddled with the costs of clean up and must deal with the threat of fires, contaminated waterways, and disease,” Sen. Rodríguez said. “The goal is to guarantee bad actors are stopped without overregulating the many model industry participants across the state.”

Key provisions:

- S.B. 570 requires the secure storage of scrap and used tires by any party who stores tires on their premises.
- To keep consumers safe and the environment clear of dangerous tire piles, S.B. 570 improves tracking of scrap tires and enforcement of proper disposal.
- S.B. 570 codifies existing Texas Administration Code provisions (Title 30, Chapter 328) that (1) require retailers to use only those transporters registered with the TCEQ to transport used and

scrap tires, and (2) require transporters and processors to register with the TCEQ and submit annual reports to the agency.

- In addition, registrations for tire transporters and processors would be renewed on an annual basis to maintain accurate and up-to-date records. Transporters and processors would need to secure financial assurance that could only be used to aid TCEQ in the cleanup of abandoned sites. Transporter financial assurance maintains the \$25,000 value that was agreed to in 2015. Processor financial assurance is based upon cost of cleanup of the facility.
- To aid law enforcement, the bill requires TCEQ to issue insignia (i.e., decals or stickers) to readily identify registered transporters.
- Finally, the bill ties violations of these provisions to existing state civil and criminal penalties for other environmental violations, including disposal of sewage, medical waste, radioactive waste, etc.

José Rodríguez represents Texas Senate District 29, which includes the counties of El Paso, Hudspeth, Culberson, Jeff Davis, and Presidio. He represents both urban and rural constituencies, and more than 350 miles of the Texas-Mexico border. Senator Rodríguez currently serves as the Chairman of the Texas Senate Democratic Caucus, and is a member of the Senate Committees on Natural Resources and Economic Development; Transportation; Veteran Affairs and Border Security; and Agriculture, Water, and Rural Affairs (Vice Chair).